

## REMARKS

Applicant respectfully requests reconsideration of this application based upon the following remarks.

### STATUS OF CLAIMS AND SUPPORT FOR AMENDMENTS

Upon entry of this amendment, claims 1-5, and 7-10 will be pending in this application. Claim 6 has been canceled without prejudice to, or disclaimer of, the subject matter thereof.

New claim 7 is supported by the specification in paragraph [0024].

New claim 8 is supported by the specification in paragraph [0027].

New claim 9 is supported by Figure 4 of the application.

New claim 10 is supported by Figure 5 of the application.

No new matter has been added.

### ANTICIPATION REJECTION

In paragraph 2 of the Office action, the Examiner has rejected claims 1-5 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,293,701 (Tomic). Applicant respectfully traverses this rejection based upon the following comments.

Tomic discloses a bag 110 having a resealable closure mechanism 114 at a mouth 126. The resealable closure mechanism 114 has downward-extending bonding strips 132, 134, and the bonding strips 132, 134 are bonded to films of the bag body so that the resealable closure mechanism 114 is provided at the top end (the mouth 126) of the bag 110. The resealable closure mechanism 114 has closure members 134, 144 which are engageable with each other. The resealable closure mechanism 114 is opened and closed by a slider device 150. The slider device 150 includes a housing 152 having a top wall 154, side walls 172, 174 and an opening

158. The slider device 150 has a spreader 166 for opening the resealable closure mechanism 114 and narrowing slide channel 177 for closing the resealable closure mechanism 114. See Tomic, column 9, lines 15-44. The slider device 150 is pressed onto the closure mechanism 114 until the hook constructions 176, 178 of the slider device 150 snap over shoulders made at the top of the bonding strips 132, 142 of the closure mechanism 114.

The present invention discusses a plastic bag having a zipper provided in an upper open portion of a bag, and the portions of plastic films forming the bag body above the zipper remain as flaps. The slider according to the present invention is to be attached to such a plastic bag with flaps and is to be used for closing the zipper of the plastic bag. Claim 1 recites that the slider has a couple of slits in the top of the slider and extending to one side of the slider; in order to fit the slider to the open portion of the plastic bag, each flap is inserted into a respective one of the slits, and the flap is then received and held between the center leg and the respective side leg, so that the slider can be rotated onto the bag. Claim 2 recites a slider wherein a side portion of the center leg protrudes beyond the side legs on one side of the slider and is thereby exposed and can be inserted between the flaps of the plastic bag, so that again the slider can be rotated onto the bag.

Thus, the slider according to the present invention is used for closing a zipper of a plastic bag, while the slider device according to Tomic is for opening and closing a resealable closure mechanism. Moreover, the slider according to the present invention, because of the features recited in claims 1 and 2, is easily re-attached to a plastic bag should it become detached from the bag. By contrast, the slider device disclosed in Tomic does not have design features according to Applicant's claims

that provide for easy re-attachment. To the contrary, the slider of Tomic requires the provision of notches on the plastic bag to facilitate even initial assembly. See Tomic at column 5, lines 30-33.

More particularly, according to the present invention, as defined in claims 1 or 2, the slider has slits in which the flaps of the bag are to be inserted, or the center leg of the slider has a protruding/exposed portion to be inserted between the flaps of the bag, e.g., during re-attachment of the slider to the plastic bag. This arrangement facilitates attachment/reattachment of the slider to the bag. Even if the slider comes off from the plastic bag, the slider can be easily reattached to the zipper of the plastic bag because the flaps of the plastic bag can first be fitted through the slits at the top of the bag, or the protruding portion of the center leg of the slider can be inserted between the flaps, and the slider rotated downward to engage the zipper of the bag without binding of the flaps of the bag in the slider. Tomic, however, does not discuss reattachment of the slider device to the bag. Accordingly, Tomic does not disclose and teach that a couple of slits are made in the slider and/or that the center leg of the slider has a protruding/exposed portion, and that these slits or protruding portion engage the flaps of the bag when the slider is fitted to the bag.

Applicant respectfully submits that, for at least these reasons, Tomic fails to anticipate claims 1 and 2. The remaining claims, which depend from claims 1 and 2 and incorporate all of the features of claims 1 and 2, are also not anticipated by Tomic for the same reasons.

In addition, Tomic fails to disclose side walls each having two bulges to limit upward and downward movement of the slider with respect to the line of the zipper. For this reason as well, Tomic fails to anticipate claim 7.

Tomic also fails to disclose that at least two opposing bulges have one or more ends that have been partly cut off. For this reason as well, Tomic fails to anticipate claim 8.

Tomic also fails to disclose that each slit is located in the top surface of the slider and disposed between the center leg and a side leg. For this reason as well, Tomic fails to anticipate claim 9.

Finally, Tomic also fails to disclose a center leg having a protrusion from only one side of the slider. For this reason as well, Tomic fails to anticipate claim 10.

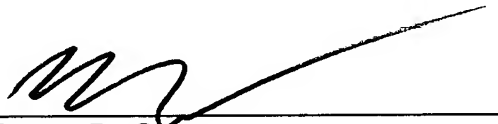
In the event that there are any questions concerning this Amendment, or the application in general, the Examiner is respectfully urged to telephone the undersigned attorney so that prosecution of the application may be expedited.

Respectfully submitted,

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